

3564
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4 BILL NO. G-77-03-31

5 GENERAL ORDINANCE NO. G- 19-77

6 AN ORDINANCE amending General Ordinance No. G-97 by authorizing the
7 vacation of a certain alley and
8 street.

9 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT
10 WAYNE, INDIANA:

11 SECTION 1. Petition for the vacation of a certain alley
12 and street having been filed with the Fort Wayne City Plan Com-
13 mission in accordance with Section 44, Chapter 174, of the Acts of
14 the General Assembly of the State of Indiana, as amended by Section
15 3, Chapter 385, of the Acts of 1963 of the General Assembly of the
16 State of Indiana (Burns Ind. Stat., 1974 Replacement, Sec. 53-744),
17 the Thoroughfare Plan as set forth in General Ordinance No. G-97
18 adopted by the Common Council of the City of Fort Wayne on November
19 26, 1963, is amended by deleting the following street and alley
20 vacation, to-wit:

21 That portion of the north-south alley, extending
22 north 48 feet from the north right-of-way of
23 Emily Street, located between Lot # 36 of Eliza
Hanna Srs. Sub. and Lot # 6 of P. H. Wyss Sub.

24 AND

25 That portion of Emily Street, starting at the west
26 right-of-way of Bowser Avenue and extending west
150 feet to the east right-of-way of the north-
south alley, lying between Lots # 36 and # 37 of
Eliza Hanna Srs. Sub.

27 SECTION 2. After passage of this Ordinance, approval by
28 the Mayor and legal publication, a duly certified copy of this
29 Ordinance, of the recommendation of the Fort Wayne City Plan
30 Commission, and of the action of the Mayor, shall be transmitted
31 by the City Clerk to the Board of Public Works of the City of Fort
32 Wayne, Indiana.

33
34 APPROVED AS TO FORM
35 AND LEGALITY,
W. A. Seer
CITY ATTORNEY

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4 SECTION 3. This Ordinance shall be in full force and
5 effect from and after its passage, approval by the Mayor and legal
6 publication thereof.
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11 Councilman

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Read the first time in full and on motion by V. Delmar, seconded by Palmer, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the day of _____, 1976, at _____ o'clock P.M., E.S.T.

DATE: 3-22-77

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, placed on its passage.

PASSED (TEST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
<u>TOTAL VOTES</u>	<u>8</u>	<u> </u>	<u> </u>	<u>1</u>	<u> </u>
<u>BURNS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HINGA</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>HUNTER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>MOSES</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>NUCKOLS</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHMIDT, D.</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>SCHIMDT, V.</u>	<u>✓</u>	<u> </u>	<u> </u>	<u>✓</u>	<u> </u>
<u>STIER</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u>TALARICO</u>	<u>✓</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

DATE: 6-14-77

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION)

ORDINANCE (RESOLUTION) No. 6-15-77 on the 4th day of June, 1977.

ATTEST: (SEAL)

John Nuckles
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 15th

day of June, 1977, at the hour of 1:00 o'clock P.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 20th day of June, 1977,
at the hour of 10:30 o'clock A.M., E.S.T.

Robert E. Armstrong
MAYOR

Bill No. G-77-03-31

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance
amending General Ordinance No. G-97 by authorizing the vacation
of a certain alley and street

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance No PASS.

VIVIAN G. SCHMIDT - CHAIRMAN

WINFIELD C. MOSES, JR. - VICE CHAIRMAN

WILLIAM T. HINGA

DONALD SCHMIDT

SAMUEL J. TALARICO

Vivian G. Schmidt
Winfield Jr
William T. Hinga
Donald Schmidt
Samuel J. Talarico

6-14-77 CONCURRED IN
DATE *6-14-77* CHARLES W. WESTERMAN, CITY CLERK

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154.7	36

ADDITIONAL

OLIVER		HURD
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		46

OLIVER

	ST.	20
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MOWSER

158	36	35	34	33
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FISHER

168	54	53	52	51
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WOODE



To be vacated

1-20-77

C-2

L.S.

6-77-03-31

N

R E S O L U T I O N

WHEREAS, LYLE B. CROW and JEANNE E. CROW (CROWS HAVEN NURSING HOME) and CARL ROHRER, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street and alley, situated in Allen County, Indiana, to-wit:

That portion of the north-south alley, extending north 48 feet from the north right-of-way of Emily Street, located between Lot # 36 of Eliza Hanna Strs. Sub. and Lot # 6 of P. H. Wyss Sub.

AND

That portion of Emily Street, starting at the west right-of-way of Bowser Avenue and extending west 150 feet to the east right-of-way of the north-south alley, lying between Lots # 36 and # 37 of Eliza Hanna Srs. Sub.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947 of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46;

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on Monday, April 18, 1977, at 7:30 o'clock p.m., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street and alley;

WHEREAS, said vacation of street and alley has been routed thru the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street and alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street and alley hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said street or alley or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of streets and alleys in Allen County, Indiana.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, George Simler, III, Vice /President of the
Fort Wayne City Plan Commission, do hereby certify that attached
hereto is a full, true and correct copy of a resolution adopted by
the Fort Wayne City Plan Commission following a public hearing of
said Commission held on April 18, 1977, and as the same appears of
record in the official records of said Plan Commission.

DATED THIS 31st DAY OF May , 1977

FORT WAYNE CITY PLAN COMMISSION


George Simler III
Vice President

WHEREAS, Lyle B. Crow and Jeanne E. Crow (CROWS HAVEN NURSING HOME) and Carl Rohrer, have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street and portion of public alley, in Allen County, Indiana, to-wit:

1. That portion of the north-south alley, extending north 48 feet from the north right-of-way of Emily Street, located between Lot # 36 of Eliza Hanna Strs. Sub. and Lot # 6 of P. H. Wyss Sub.
2. That portion of Emily Street, starting at the west right-of-way of Bowser Avenue and extending west 150 feet to the east right-of-way of the north-south alley, lying between Lots # 36 and # 37 of Eliza Hanna Srs. Sub.

WHEREAS, said vacation of above described street and alley has been submitted to and approved by the following departments of the City of Fort Wayne: Street Engineering, Water Pollution Control Engineering, Traffic Engineering, Water Engineering, Park Board, Electrical Engineering, and thru the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street and alley hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public street and alley, hereinbefore described be and the same is hereby approved provided, that the vacation of said street and alley shall not have the effect of depriving any public utility using and occupying said street and alley at this time of the use of said street and alley for the location and operation of its utility facilities.

APPROVED: Dated this 28 day of February, 1977.

FORT WAYNE BOARD OF PUBLIC WORKS

Henry P. Wehrenberg
Henry P. Wehrenberg, Chairman

Ethel H. LaMar
Ethel H. LaMar, Member

Max G. Scott
Max G. Scott, Member

ATTEST:

Ursula Miller, Clerk

PETITION TO VACATE PORTION OF ALLEY AND PORTION OF EMILY STREET

TO: THE CITY PLAN COMMISSION
CITY OF FORT WAYNE, INDIANA

The undersigned petitioner(s), does (do) hereby respectfully petition the Fort Wayne City Plan Commission to vacate the following portion of a public alley and portion of a public street, within the City of Fort Wayne, Indiana, and hereby described as follows:

That portion of the north-south alley, extending north 48 feet from the north right-of-way of Emily Street, located between Lot # 36 of Eliza Hanna Srs. Sub. and Lot # 6 of P. H. Wyss Sub.

AND

That portion of Emily Street, starting at the west right-of-way of Bowser Avenue and extending west 150 feet to the east right-of-way of the north-south alley, lying between Lots # 36 and # 37 of Eliza Hanna Srs. Sub.

In support thereof, your petitioner(s) would represent as follows:

1. That they are the owners of the real estate abutting both sides of the alley and street.
2. That the alley is unimproved and is not necessary as ingress or egress to any other properties whatsoever.
3. That no other person, firm, or corporation is interested in or affected by the requested vacation of said alley or street.
4. That the maintenance of said street and alley is not necessary or advantageous to the growth of the City of Fort Wayne, and that it would be to the best interest of the City and the citizens thereof.
5. When said street and alley is vacated, they will be utilized by Crows Haven Nursing Home for improving facilities for use by patients and employees.

Your petitioners file this petition pursuant to the authority granted in Burns Indiana Statutes Annotated, Section 53-744, in order to complete the vacation as above described.

WHEREFORE, your petitioners pray that the above described street and alley be vacated according to the provisions of the Indiana Law pertaining thereto.

DATED THIS 22nd DAY OF December, 1976.

Lyle B. Crow
CROWS HAVEN NURSING HOME

By: Lyle B. Crow

By: Jeanne E. Crow

Carl Rohrer
(Owner: Lot # 37 Eliza Hanna
Srs. Sub.)

"Good Care in a Christian Atmosphere"

"Crow's Haven"

2440 Bowser Avenue
FORT WAYNE, INDIANA

May 20, 1977

Mrs. Patrice Bumsey,
Community Development Planning,

Dear Patrice Bumsey,

In reply to your letter of May 19, 1977
concerning the vacating of Emily St and North South
Alley

1. I, Lyle B. Crow, owner of Crow's Haven
Nursing Home, do covenant that Crow's Haven has and
will provide off street parking for visitors and staff.
2. And Crow's Haven Nursing home will provide garbage
collection for its own and the property at the North
end of the Alley that is not at the present owned by them.
3. Also easements shall be maintained by Crow's Haven
for access for General Telephone, Indiana and Michigan, and
Northern Indiana Public Service Co.

Sincerely

Lyle B. Crow

April 21, 1977

Gant Wayne Ind.

To whom it might concern,

The Hanna & Creighton Neighborhood Association regular meeting was held on April 21, 1977. And it was voted

~~unanimously~~ for the vacating of the 1st half of Emily St from Bowes toward Oliver Street. Also the first part of the Alley Emily north, for the general good of the General Neighborhood.

Ruth Morgan

Sec.

Hanna & Creighton
Neighborhood
Ass.

2520 Bowser Avenue 46803
18 Apr 77

City Plan Commission

Gentry and Gentility:

At the beginning of your session tonight your chairman set a schedule of:

1. Petitioner
2. Other parties in favor
3. Parties in opposition
4. Rebuttal by petitioner

I recognize that this need not be a rigid schedule, because in some cases one or more parties may be lacking; but my wife and I, and others, appeared at the open meeting tonight to testify in favor of the petition of Mr. Lyle Crow, proprietor of Crow's Haven Nursing Home, to close the easternmost half-block of Emily Street and a hundred or so feet of the alley north of Emily, running between and parallel to Oliver and Bowser. No call was made for testimony from those in favor.

Ordinarily my family and I, when coming home from the southern, western, or eastern parts of the city, turn north off Pontiac onto Oliver, then east onto Emily, then south onto Bowser to park in front of our home.

You might deduce from this that my family would be opposed to the closing of Emily but we are not, let me assure you. It would be only slightly less convenient to continue further north on Oliver to Hurd, thence eastward to Bowser and southward from there. Indeed, I myself would not mind very much at all if Hurd likewise were closed. Creighton is only another block and a half north from Hurd.

In short, Emily Street is far more bother than convenience. This block we live on, in addition to the block bounded by Woodbine Place, Holton, Pontiac, and Bowser, becomes at some hours of the day or night a Grand Circus Maximus Raceway, with hotrod teenage kids chasing each other around and round the block streets, with or without benefit of motor vehicles.

The sole opponent to Mr. Crow's petition was a Mr. Kuyken-dahl, a local neighborhood store proprietor. I hope I spelled

his name right. I believe it is a Dutch name, but I have no idea whether or not he is Dutch, or even part Dutch. But I am part Dutch, so I hope I spelled the name right.

Mr. Kuykendahl sells a lot of candy bars to those local neighborhood hotrod teenage kids and, within a block of the store, they throw the wrappers in the street or in someone's yard. They can't carry them on home to dispose of them properly because their hands are otherwise occupied in throwing stones, bolts, glass bottles, scrap metal, and bricks at neighborhood dogs, including mine (who is, incidentally, always in his own yard except when we take him out for a ride in the country).

If my memory is not failing, I believe this man Kuykendahl last year or year before was at least arrested for selling drugs to hotrod teenage kids. I don't remember whether he was convicted or even tried. You might like to check court records.

For running a grocery store, he shows little concern for his garbage. The prevailing westerlies in this region (and Mr. Crow and I both live generally eastward of his store) carry a great deal of his excess down Emily Street, and my wife recently told me that Mr. Crow himself had gone over to Mr. Kuykendahl's trash container and cleaned up the overflow to prevent further widespread distribution. Perhaps you'd like to ask the Board of Health to check out his establishment.

I would like in this letter to verify Mr. Crow's testimony that he does assist in neighborhood maintenance, to a major degree. For several years he and his employees, with the use of a tractorized plow, have cleaned the snow from the sidewalk on the west side of Bowser from the north of the nursing home at Bowser and Emily all the way to Pontiac, in order for his employees to travel to and from the Pontiac bus line, and for guests of the residents of his nursing home to more easily traverse that distance. This of course benefits me, although it is not necessarily intended to do so. Therefore, last winter, needing some exercise, I shovelled the snow off the sidewalks of a couple of neighbors across the street a couple of times. They had been left out. But I am not sure that I would do as much as Mr. Crow does, even if I had a tractorized plow.

We now live in the north half of Lot 40, which is the second house south of Emily on the west side of Bowser. The first house is an apartment building, owned by Mr. Crow. We bought this house in 1960, when this was still a very nice neighborhood. Mr. Crow's enterprise has been the leading influence in keeping it nice, but it has been rather a losing battle because we are so far outnumbered by people trying to tear down the area. In the last two or three years, however, our rate of loss has slowed somewhat. Perhaps there is still some hope.

We first moved to this neighborhood early in 1954, and have since remained within a block of our present address. In fact, our first residence hereabout was a small apartment in the rear of the building which Mr. Kuykendahl now operates as a grocery.

Even though your chairman specified that comments were to be limited strictly to the matter at hand, I would have found it difficult to restrain myself from expressing my opinions, which are many and varied, so perhaps this letter is a more favorable opportunity than that of speaking at the meeting.

I think this neighborhood and, in fact, the whole ghetto quadrant of the city(except for a few thoroughfares such as Creighton, Pontiac, Oxford, Clinton, Lafayette, and Anthony), should be chopped up into cul-de-sacs, bottlenecks, and dead ends, so that there would not be so much of this circuitous, going-nowhere traffic through our neighborhood.

Close off part of Bowser somewhere, preferably between Hurd Street and the yard gate of Mobile Aerial Towers. When the Bowser Pump Company was still in that facility, neither was truck traffic so heavy nor was employee traffic so insane. Within three years after Bowser moved out, trucks had worn a double furrow down this once-beautiful brick, now asphalt blacktop street. Before the blacktopping, the crown between the furrows was so high that a low-built car ^{had}nt dare drive in the furrows or it might lose its muffler and possibly even its transmission. Let the trucks come into the factory, which fronts on Creighton, by way of Creighton and then leave the same way.

Also, since Bowser is one-way south, quitting time at the factory is a terror for pedestrians, kids, dogs, and low-flying birds. Once every week or so, a few police cars should park in a pack on Emily just off Bowser. Easy way to pick up a few quick speeding ticket fines.

Smith should be one way north from Paulding Road to Creighton, and Holton should be one way south from Creighton to Pettit, since it deadends about three blocks south of Pettit.

The alley between Bowser and Holton which runs parallel to Woodbine Place (and is the only alley between Woodbine Place and Creighton) should be closed and abandoned. It is little used except for through traffic. It is, in effect, a sand-and-cinder substitute street.

Mr. Crow's testimony as to crime in the neighborhood was entirely correct. Without even rummaging around in my memory bin, I can honestly report to you that two or three women employees and guests of the nursing home have in recent years been victims of purse thieves. I won't attempt to recall the number of breakins and burglaries around here in that time.

Also, summer, the false fire alarm season, is coming on. There is a fire alarm at the corner of Bowser and Emily, right beside Crow's Haven Nursing Home. At the peak of its season, some midnight malfeasant sets it off at least once a week. Less through traffic on Emily Street should decrease that frequency appreciably.

Thank you very much for your time I have consumed in dispatching to you this lengthy missive. I hope all members of the Plan Commission have had time to read it thoroughly, to ruminant upon it, and to consider the complications this neighborhood will be required to endure if something can't be done to pacify this neighborhood, as Mr. Crow requests. In the absence of your passing favorably upon his petition, a battalion of Marines might suffice to calm things down a little around here.

Hopefully,
Lewis C. Gruber
Lewis C. Gruber

"Good Care in a Christian Atmosphere"

"Crow's Haven"

2440 Bowser Avenue
FORT WAYNE, INDIANA

Feb. 8, 1977

To the Governing Authorities of the City of Ft. Wayne:

Crows' Haven Nursing Home has been in the same location for 26 years. We have seen our community change from a beautiful and stable part of the city of Fort Wayne to much deterioration and blight. We feel by our staying on in our community we have helped to challenge our immediate neighborhood to take pride in their homes. We have been the source of employment to over 40 regular employees continually. We are one of the larger tax sources to the city from this area. We have put back into our business and community most of the profit from the business by expansion of the business and the purchase of the larger portion of the entire square block. We have plans to make this a true haven for employees and senior citizens needing protection and care that they can afford.

We now feel we have gone as far as we can go without help from you, the governing authorities of our great city. At your convenience I would be happy to discuss our future goals and of the dangers for which we need your help and protection.

We invite you as a group or as individuals to visit our home to see for yourselves what God has helped us to accomplish.

Sincerely,

Lyle B. Crow
Administrator & Owner

Feb. 8, 1977

To the Governing Authorities of the City of Fort Wayne:

We, the residents of Crow's Haven Nursing Home, do declare our desire to see the proposed plan of the vacating of the first half block of Emily St. from Bowser Ave to the alley west, and the first 48 feet of the alley from Emily north, and hopefully the total block fenced in for our protection; that we and our visitors may safely and freely walk and enjoy our surroundings.

SIGNED:

Cecilia Ellingson X

<i>Pauline L Ranch</i>	<i>Wanda Smith X</i>
<i>Harry Wagoner</i>	<i>Fannie Williams</i>
<i>Viola Bill</i>	<i>Levada Ludwig X</i>
<i>Maffett G. Lester</i>	<i>June Schaefer X 101 yard</i>
<i>Elmer King X</i>	<i>Marquette Davis (signed)</i>
<i>Bessie Knap</i>	<i>Edith Taylor X</i>
<i>Elmer K. Lester</i>	<i>Edwina Davis X</i>
<i>Mary (King) Bessie K.</i>	<i>June Schaefer X 102 yard</i>
<i>May Davis X</i>	<i>Mary Gruber</i>
<i>Anna Zwick X</i>	<i>Elizabeth Decker X</i>
<i>Jan Zehlman X</i>	<i>Helen B. Goodman</i>
<i>Silvia Hause X</i>	<i>Tom Lys X</i>
<i>Elmer Taylor X</i>	<i>Bertha Tutter</i>
<i>Agnes Campbell X</i>	<i>Lucinda Thalib</i>
<i>June Beaumon X</i>	<i>Lawrence M. Morgan</i>
<i>Elmer Hause</i>	<i>Opel Metall X</i>
<i>Mabel E. Schruth</i>	<i>Letha Schaefer</i>
<i>Esther Weyer X</i>	<i>Tom Lys X</i>
<i>Mrs C. Crow</i>	
<i>Elmer Hause X 101 yard</i>	
<i>Mabel Schruth X</i>	
<i>Viola Schaefer X</i>	
<i>Lucy Parrot X</i>	
<i>Clara Doornik X</i>	

Feb. 8, 1977

To the Governing Authority of the City of Fort Wayne -

We, the residents and owners of the dwellings within the boundaries of Bowser Ave., Emily St., Oliver St., and Hurd St., do hereby declare our agreement to the proposed plan to vacate the first half block of Emily from Bowser Ave., to the alley west and the first 48 feet of the alley from Emily North and that we, as land owners may be permitted to install a 4ft. chain-link fence around the square block, with gates, within 3 feet of the sidewalks for the protection of all residents from prowlers, both the day and night. We would also request that Bowser and Oliver St. remain as one-way traffic and our city continue to provide good street and alley lights for us as tax payers.

SIGNED: Lyle B. Crow 2430 Bowser Ave. Owner
Cross Warren Apartments 2440 Bowser (Lyle B. Crow owner)
Mr. & Mrs. Paul Ayers 2424 Bowser Lyle B. Crow owner
Clifford Clegg 1215 1/2 B Emily Lyle B. Crow owner
Key & Niblum 2516 Bowser Ave. Lyle B. Crow owner
Milton & Louise 2417 Oliver - OWNER
Mr. & Mrs. J. E. Chiarley 2417 Oliver - OWNER
Mrs. Mary Auer 2421 Oliver St. Owner
Mrs. & Mrs. George Bahls 2433 Oliver - owner
Ed Castellano - 2443 Oliver, Lyle B. Crow owner
Wacant 2437 Oliver Lyle B. Crow Owner
Orville Hobbs 1211 Emily, Lyle B. Crow (Owner)

One resident owner Mr. Jimi Bakerman of
2915 Bowser did not yet sign but has stated he
would not oppose it.

Feb. 8, 1977

To the Governing Authorities of the City of Fort Wayne:

We, the employees of Crows' Haven Nursing Home, do declare our desire to see the proposed plan of vacating the first half block of Emily St. from Bowser Ave. to the alley west, and the first 48 feet of the alley from Emily north, and hopefully the total block fenced in for our protection and for off street parking and that we may more safely walk our patients outdoors when permitted.

SIGNED:

Kathy Ward 3806 Lafayette, Rosemary Dawson 4701 Pyramid Rd.
Barry Jeppe 318 "Hollings Lane" Fridericka Stalits 1311 1/2 North Thaddeus
Silvia M. Dyer 1021 1/2 Culbertson Carolyn Ayers 5120 Bowser Ave.
Ruth Hof 1235 Kincaid Olga Morgan 1312 Madison
Patricia Martin 100 W. Webster Florence J. Brown 1418 Hazel
Clifford D. Smith ~~Paul D. Dyer~~
Paul Dyer 22424 Brown Ave
Dee Dee Chaffin 2444 Bowser Ave
Annelle L. R. D. Et. Cetera 1730 Hettlinger
13700 Woodlawn 1921
Beatrice F. Johnson
Florence M. Smith 211 Roenke
Mary M. Moore 320 2nd Ave
Jane Kauch 2809 Elginwood
Emilia Steppel 1816 Colerich
Kay Durham 2516 Bowser Ave
Eva G. Ostry 3015 Pittsburgh
Lucie Bechtel
Betty P. fast
Mrs. Geraldine McClain
Eleanor Bates 2516 Bowser #4
Pat Brown 2925 Central Driv
Janice Nalley 4515 N. Main St.
Denee G. Essey - 1215 Emily St.

3566

Number assigned by Bill Salin's office: # 3566 Admn. Appr. _____

DIGEST SHEET

8-77-03-31

TITLE OF ORDINANCE Street and alley vacation ordinance

DEPARTMENT REQUESTING ORDINANCE CITY PLAN COMMISSION

SYNOPSIS OF ORDINANCE Petitioners are requesting the vacation of the following described street and alley:

A portion of Emily Street, between Lots # 36 and # 37, extending west from Bowser Street, 150 feet and a portion of the north-south alley extending north of Emily Street between Lots # 5 and # 36

EFFECT OF PASSAGE If vacation, street and alley would be utilized by abutting property owners...in this case...the Crow Haven Nursing Home.

EFFECT OF NON-PASSAGE Street and alley would remain open

MONEY INVOLVED (Direct Costs, Expenditures, Savings) none

ASSIGNED TO COMMITTEE (J.N.) *Rig*



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

room 122

charles w. westerman, clerk

June 21, 1977

Ms. Virginia Grace
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, Indiana 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates June 17 and June 24, 1977, in both the News Sentinel and Journal Gazette.

24 July

RE: Legal Notice for Common Council
of Fort Wayne, Indiana

Zoning Map Ordinances:

Correction of Legal Ad printed-
May 20 & 27, 1977
Bill No. Z-77-03-13 As Concurred in - Amended
Zoning Map No. Z-08-77

Bill No. Z-77-04-06 As concurred in - Amended
Zoning Map Ordinance No. Z-11-77

Bill No. Z-77-04-25
Zoning Map Ordinance No. Z-12-77

Bill No. G-77-05-39
General Ordinance No. G-21-77

Bill No. G-77-03-31
General Ordinance No. G-19-77

Bill No. G-77-03-10
General Ordinance No. G-18-77

Please send us five (5) copies of the Publisher's Affidavit from both newspapers.

Sincerely,
Charles W. Westerman
Charles W. Westerman - City Clerk

CWW/ne
ENCL: 6

AN EQUAL OPPORTUNITY EMPLOYER



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Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set)
— number of equivalent lines

Head number of lines

3

Body number of lines

99

Tail number of lines

2

Total number of lines in notice

104

COMPUTATION OF CHARGES

GENERAL ORDINANCE
NO. 19-577
BILL NO. G-77-03-31

AN ORDINANCE amending General Ordinance No. 19-577 by authorizing the vacation of a certain alley and street!

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. To provide for the vacation of a certain alley and street having been filed with the Fort Wayne City Plan Commission, a duly certified copy of Section 44, Chapter 17A, of the Acts of the General Assembly of the State of Indiana, as amended by Section 1, Chapter 17A, of the Laws of 1963 of the General Assembly of the State of Indiana, (Bills Ind. Stat. 1971, § 17-1-17A-1, et seq.)

Thoroughfare Plan as set forth in General Ordinance No. G-97, adopted by the Common Council of the City of Fort Wayne on November 26, 1963, is amended by deleting the following street and any vacation to-wit:

That portion of the north-south alley, extending north 48 feet from the north right-of-way of Emily Street, located between Lot No. 6 of Eliza Hanna Srs. Sub. and Lot No. 6 of P. H. Wyss Sub.

And that portion of Emily Street, a starting at the west right-of-way of Bowser Avenue and extending west 150 feet to the east end of the north-south alley, lying between Lots No. 36 and No. 37 of Eliza Hanna Srs. Sub.

SECTION 2. After passage of this Ordinance, approval by the Mayor and legal publication, a duly certified copy of this Ordinance will be the commencement of the Fort Wayne City

Plan Commission, and of the action of the Mayor, shall be transmitted by the City Clerk to the Board of Public Works of the City of Fort Wayne, Indiana.

SECTION 3. This Ordinance shall be in full force and effect from and after its passage, approval by the Mayor and legal publication thereof, Visualized.

Read the third time in full and on motion by Moses, seconded by Hinga, and duly adopted, passed on its passage. Passed by the following vote:

Ayes: Eight, Burns, Hinge, Hunter, Moses, Nuckols, D. Schmidt, Stier, Talarico.

Nays: None
Abstained: One—V. SchmidtDated 6/17
Charles W. Westerman
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. 19-577 on the 14th day of June, 1977.

ATTEST: (SEAL)
Charles W. Westerman
City Clerk
John Nuckles
Presiding Officer

Presented to me by the Mayor of the City of Fort Wayne, Indiana, on the 15th day of June, 1977, at the hour of 1:00 o'clock P.M., E.S.T.

Charles W. Westerman
City Clerk

Approved and signed by me this 20th day of June, 1977, at the hour of 10:30 o'clock A.M., E.S.T.

Robert E. Armstrong
Manager

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a true copy of the original copy of General Ordinance No. G-19-77 passed by the Common Council of the City of Fort Wayne, Indiana. The said Ordinance was duly signed and approved by the Mayor on the 20th day of June, 1977, and is a true copy on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 20th day of June, 1977.

CHARLES W. WESTERMAN
CITY CLERK

44-77

14 lines 1 columns wide equals 104 equivalent lines at 25¢ per line

\$ 26.00

ditional charge for notices containing rule or tabular work (50 per cent of above amount)

ge for extra proofs of publication (50 cents for each proof in excess of two)

1.50

TOTAL AMOUNT OF CLAIM

\$ 28.44

PUTING COST

9.9

h of single column 14 ems

Size of type 5½ point

ber of insertions 2

Size of quad upon which type is cast 5½

provision and penalties of Ch. 89, Acts 1967,

that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just no part of the same has been paid.

Arville DeWald

CLERK

Title

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County } ss:Personally appeared before me, a notary public in and for said county and state, the
undersigned ARVILLE DEWALD who, being duly sworn, says
that she is CLERK

JOURNAL-GAZETTE

a DAILY newspaper of general circulation printed and published
in the English language in the city of FORT WAYNE, INDIANA
in state and county aforesaid, and that the printed matter attached hereto is a true copy,
which was duly published in said paper for 2 time, 5, the dates of publication being
as follows:

6/24 & 7/1/77

Arville DeWald

Subscribed and sworn to before me this 1st day of

Notary Public

My commission expires September 28, 1979



Common Council of Fort Wayne
(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen County, Ind.

FORT WAYNE, INDIANA

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COMPUTATION OF CHARGES

104 lines, 1 columns wide equals 104 equivalent lines at 25¢ cents per line 26.00

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

TOTAL AMOUNT OF CLAIM 28.44

DATA FOR COMPUTING COST

9.9
Width of single column 9 ems Size of type 5½ pointNumber of insertions 2 Size of quad upon which type is cast 5½

Pursuant to the provision and penalties of Ch. 89, Acts 1967,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

*Arville DeWald*Date July 1, 19 77Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana ALLEN County } ss:Personally appeared before me, a notary public in and for said county and state, the undersigned ARVILLE DEWALD who, being duly sworn, says that she is CLERK of the JOURNAL-GAZETTEa DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time(s), the dates of publication being as follows:6/26 & 7/1/77*Arville DeWald*Subscribed and sworn to before me this 1st day of July, 19 77

Notary Public

My commission expires September 28, 197966 1977
\$35.00

/e IN FORT WAYNE